

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 13210, of Wilburn Development, Co., Inc., pursuant to Sub-section 8207.2 of the Zoning Regulations, for a special exception under Paragraph 3105.42 for a proposed subdivision to construct row dwellings in an R-5-A District at the premises 2800-2806 Hartford Street, S.E. and 2801-2807 Gainesville Street, S.E., (Square 5730, Lots 189, 190, 191 and 192).

HEARING DATE: April 16, 1980
DECISION DATE: May 7, 1980

FINDINGS OF FACT:

1. The subject property is located in an R-5-A District, and is bounded by the Good Hope Hills Apartments to the east, Alabama Avenue to the west, Gainesville Street to the north and Hartford Street to the south. The property is divided by a sixteen foot public alley which runs through the property in the east-west direction. The property is generally flat and is vacant. The premises are known as 2800-2806 Hartford Street and 2801-2807 Gainesville Street, S.E.

2. The area in which the property is located is developed generally with the R-5-A type garden apartments. As noted, the property abuts the Good Hope Hills apartment to the east and the development across the street from Alabama Avenue to the west, is also comprised predominantly of apartments. A public housing project known as the Knox Hill Dwellings which was recently razed was located across Hartford Road to the south. The D.C. Department of Housing and Community Development is in the process of requesting release of the Knox Hill site from the Federal Government so that the land can be developed for new housing.

3. It is proposed that the subject property will be developed with four row dwellings facing Gainesville Street and four row dwellings facing Hartford Street to make a total of eight single family dwellings.

4. It is proposed that the existing subject four lots 189 through 192 be subdivided into eight lots. Each resulting lot will contain an area of approximately 2,158 square feet and a width of approximately twenty-three feet. The lot sizes will be comparable to the requirements of the R-3 Zoning District.

5. The plans on file indicate that the proposed single family dwelling units on the site will have two stories and basements. Each dwelling unit will have three bedrooms and one and one-half baths. The units will be sold in fee simple. The proposed selling price is in the low \$60,000 bracket.

6. Parking pads will be provided in the rear yards, which will have direct access from the alley. The drawings on file indicate that the total width of the rear yards will be devoted to parking area.

7. Pursuant to Paragraph 3104.42, the application was referred to the D.C. Board of Education, the Department of Housing and Community Development and the Office of Planning and Development for their comments and recommendations.

8. By memorandum, dated March 31, 1980, the D.C. Board of Education replied that it found no objection to the proposed development and that there would be no impact upon school facilities in the area caused by the development. The Board so finds.

9. By memorandum dated April 8, 1980, the Department of Transportation reported that no measurable adverse impact will be created on the surrounding street system by the vehicular traffic generated by the proposed eight single family dwellings. Each unit will have one off-street parking space as required by the Zoning Regulations. Metrobus service is available on Alabama Avenue adjacent to the site. The Board so finds.

10. By report dated April 7, 1980, the Department of Housing and Community Development reported as follows:

"The four lots which are the subject of this application are presently vacant parcels in an R-5-A District. Surrounding blocks are predominantly residential in use and consist largely of low-rise multi-family apartment structures. Alabama Avenue, a major artery which adjoins the property to the west, provides good access to shopping facilities a few blocks to the north. Public schools are also nearby, along Alabama Avenue; Garfield Public School is three blocks to the south. E. L. Stanton is approximately the same distance to the north. Public recreation space is available in conjunction with both schools, as well as in major space facilities such as Fort Stanton Park to the west.

The proposed row houses are compatible with their surroundings and would be well served by existing public and private facilities. It is unlikely that the small number of units could have any adverse impact on public facilities. While Alabama Avenue is a heavily travelled artery, all the houses will be facing away from that street, so that it should be possible to buffer against undue traffic noise. Appropriate landscaping could do much to improve that situation. The proposed units could provide an opportunity for additional homeownership and help upgrade an improving neighborhood. Such objectives would help carry out current housing policies of the District."

The Board so finds. The Department of Housing and Community Development had no objection to the granting of this application and supported favorable action by the Board of Zoning Adjustment.

11. The Office of Planning and Development by report, dated April 11, 1980, recommended that the application be approved subject to an approved landscaping design. The OPD reported that the proposed subdivision and the development will provide additional housing in the District of Columbia. The development will have a density comparable to R-3 District. The Office of Planning and Development would favor the approval of this application provided the applicant submit for Board approval, a landscaping plan. The OPD recommends that the applicant provide trees of six inches minimum caliber in the front and rear yards with appropriate seeding and sodding. The parking area at the alley should also be provided with shrubbery and landscaping. The Board so finds.

12. At the time of public hearing, neither final design nor landscaping plans were submitted to the record. Such plans were received by the Board prior to the decision of the application by the Board on May 5, 1980.

13. There was no opposition to the application at the public hearing or of record.

14. Advisory Neighborhood Commission - 7B made no recommendation on the application.

CONCLUSIONS OF LAW AND OPINION:

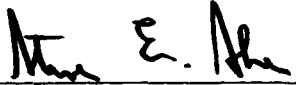
Based on the record, the Board concludes that the applicant is seeking a special exception under Paragraph 3105.42 of the Zoning Regulations. It is the Board's opinion that the applicant has met the standards and requirements of Paragraph 3105.42 and Section 3307. The Board notes that the favorable reports of the Government agencies to which the application was referred as evidenced in Findings No. 8, 9, 10 and 11. The Board further concludes that the application can be granted as in harmony with the general purpose and intent of the Zoning Regulations and will not tend to affect adversely the use of neighboring property.

Accordingly, it is ORDERED that the application is GRANTED in accordance with the revised plans filed with this Board as Exhibits 8 and 23 on February 19, 1980 and March 24, 1980 respectively and the landscaping plan marked as Exhibit 25 of the record.

VOTE: 4-0 (Walter B. Lewis, William F. McIntosh, Connie Fortune and Leonard L. McCants to GRANT, Charles R. Norris not voting, not having heard the case).

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED BY: _____


STEVEN E. SHER
Executive Director

FINAL DATE OF ORDER: 7 JUL 1980

UNDER SUB-SECTION 8204.3 OF THE ZONING REGULATIONS "NO DECISION OR ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN DAYS AFTER HAVING BECOME FINAL PURSUANT TO THE SUPPLEMENTAL RULES OF PRACTICE AND PROCEDURE BEFORE THE BOARD OF ZONING ADJUSTMENT."

THIS ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER, UNLESS WITHIN SUCH PERIOD AN APPLICATION FOR A BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY IS FILED WITH THE DEPARTMENT OF LICENSES, INVESTIGATIONS, AND INSPECTIONS.